

# Exhibit B



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**SENT BY EMAIL**

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**Re: *Phi Theta Kappa v. HonorSociety.Org., Inc., No. 22-cv-00208-CWR-RPM***  
**HonorSociety Zendesk Customer Service Call Recordings**

Counsel:

Your August 29, 2024 letter expressed concern that HonorSociety's production may be deficient by failing to include customer service call recordings maintained by Zendesk. In response, HonorSociety contacted Zendesk to determine whether any HonorSociety customer service calls had been recorded. HonorSociety was assured by multiple Zendesk representatives that, because HonorSociety's "plan does not have a call recording feature," "there [are] no call recordings." Zendesk further confirmed that should HonorSociety upgrade its existing plan, that would enable the call recording feature "only for upcoming calls once the plan is upgraded." Attached to this letter is correspondence in which Zendesk repeatedly confirmed there were no call recordings.

Since the hearing with Judge Myers on September 17, 2024, HonorSociety has come across some evidence of call recordings despite Zendesk insisting there are none. HonorSociety is investigating the existence and scope of the recordings, whether they can be accessed and/or downloaded, and the burden for doing so.

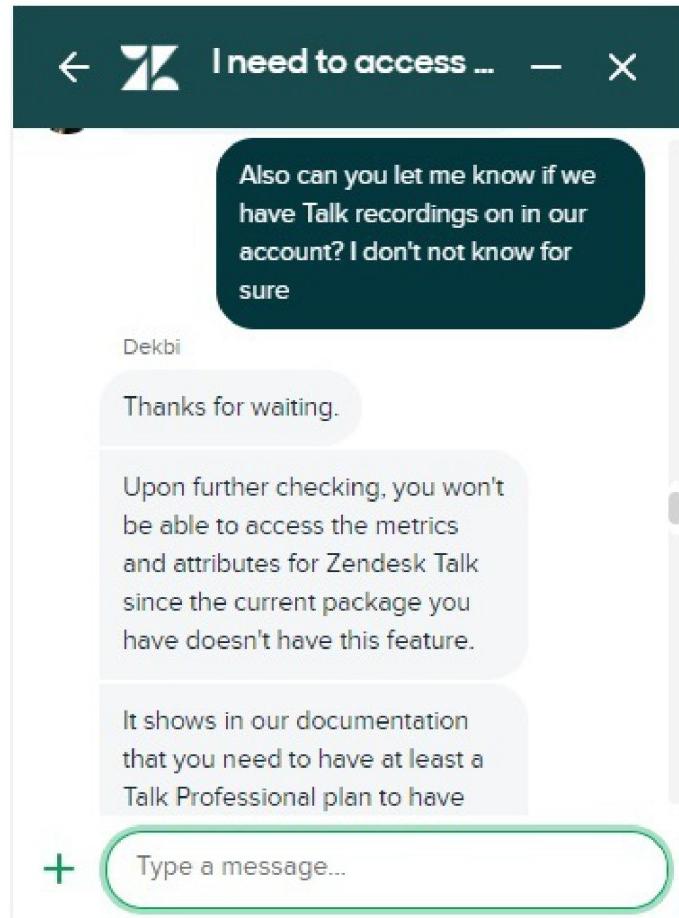
Thank you,

NEWMAN LLP

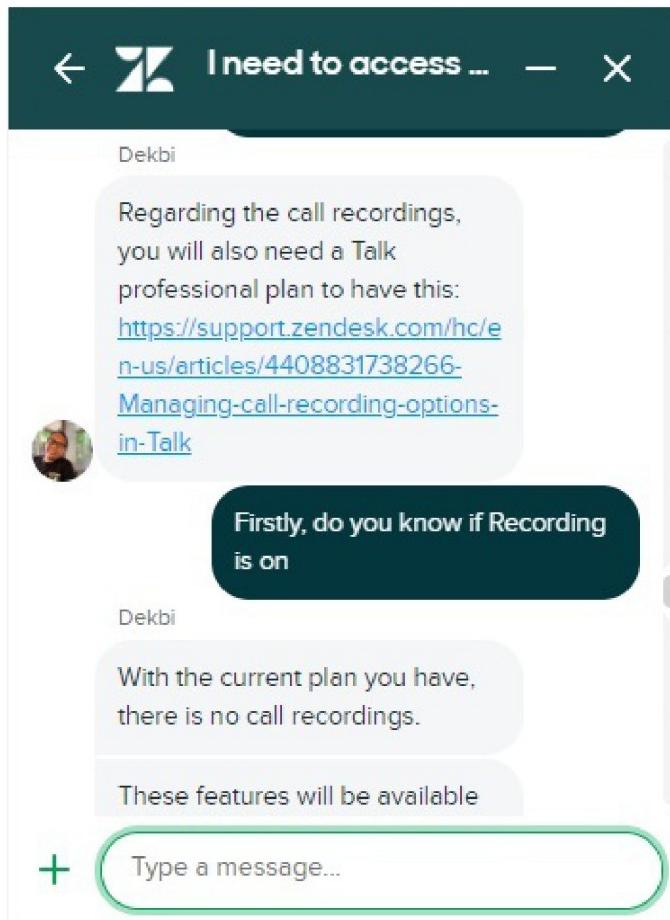
A handwritten signature in black ink, appearing to read "D. Linke".

Derek Linke

Encl.



The screenshot shows a Zendesk support ticket interface. At the top, there's a header bar with a back arrow, the Zendesk logo, the text "I need to access...", a minus sign, and a close (X) button. Below the header, a user message from "Dekbi" is displayed in a light blue bubble. The message reads: "It shows in our documentation that you need to have at least a Talk Professional plan to have these features: <https://support.zendesk.com/hc/en-us/articles/4409156145434-Metrics-and-attributes-for-Zendesk-Talk>". Below this message is a dark green button with white text that says "I need it for legal and compliance reasons.". A reply from an AI agent is shown in a light blue bubble: "Regarding the call recordings, you will also need a Talk professional plan to have this: <https://support.zendesk.com/hc/en-us/articles/4409156145434-Metrics-and-attributes-for-Zendesk-Talk>". At the bottom left, there's a plus sign icon, and at the bottom right, a green rounded rectangle input field with the placeholder text "Type a message...".



 I need to access... — X

These features will be available as soon as you upgrade your account to at least Talk Professional.

 Additionally, call recordings will be able to be enabled only for upcoming calls once plan is upgraded.

Can you confirm that is the case from all calls in our account April 2016 until now?

Dekbi

If you want, I can forward this to your Account Executive to have

+ Type a message...

